
GABON - Tier 2 Watch List

Gabon is primarily a destination and transit country for West and Central African men, women, and children subjected to forced labor and sex trafficking and-to a lesser extent-a source country for children subjected to forced labor and sex trafficking. Some victims transit Gabon en route to Equatorial Guinea. Boys are forced to work as street vendors, mechanics, or in the fishing sector. Girls are subjected to domestic servitude and forced labor in markets or roadside restaurants. West African women are forced into domestic servitude or prostitution in Gabon. Some foreign adults seek the help of smugglers for voluntary labor migration to Gabon but are subsequently subjected to forced labor or prostitution after arriving via plane or boat with falsified documents. During the reporting period, a Sao Tomean woman was subjected to domestic servitude in Gabon. Traffickers appear to operate in loose, ethnic-based criminal networks, at times involving female traffickers-some of whom are former trafficking victims-in the recruitment and transportation of victims from their countries of origin. In some cases, child victims report their families willingly gave them to intermediaries promising employment or education who instead subjected the children to trafficking. There is evidence some traffickers operate outside the capital to avoid detection by law enforcement.

The Government of Gabon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified an increased number of trafficking victims, initiated more prosecutions than in the previous reporting period, and established two vigilance committees to monitor child trafficking in provincial capitals. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Gabon is placed on Tier 2 Watch List for the second consecutive year. For the third consecutive year, the government did not convict any traffickers or enact a proposed amendment specifically to criminalize adult trafficking, and it decreased funding for victim shelters. The inter-ministerial child trafficking committee, which coordinates national anti-trafficking efforts, remained without sufficient funds to fulfill its mandate effectively, and there remained no such mechanism to coordinate national efforts to address adult trafficking.

RECOMMENDATIONS FOR GABON:

Increase efforts to investigate, prosecute, and convict traffickers, including those involved in adult trafficking and sex trafficking, by convening the high court; enact provisions criminalizing all forms of trafficking; expand training for social workers, law enforcement, labor inspectors, and judicial staff to include the identification and investigation of adult trafficking; increase

financial or in-kind support to both government-run and NGO shelters; develop an inter-ministerial committee to address adult trafficking or expand the existing inter-ministerial committee's mandate to include adult trafficking; train social workers and service providers on best practices in the provision of care for trafficking victims; increase funding and resources to government ministries to ensure full implementation of the victim identification and referral processes; increase communication among ministries to facilitate improved case management and data collection; develop a system to track trafficking cases and provide relevant law enforcement and victim protection statistics; expand national awareness-raising campaigns to include information on adult trafficking; and develop a national action plan to combat all forms of trafficking.

PROSECUTION

The government maintained modest anti-trafficking law enforcement efforts. Existing laws do not criminalize all forms of human trafficking; for example, they do not criminalize bonded labor. Enacted in September 2004, law 09/04 on child trafficking prohibits child trafficking for both labor and sexual exploitation, and prescribes penalties of up to a maximum of 40 years' imprisonment, in addition to fines; these penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Penal code article 261 prohibits the procuring of a child for the purpose of prostitution and prescribes penalties of two to five years' imprisonment and a fine. Law 21/63-94 prohibits forced prostitution of adults and prescribes penalties of two to 10 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes. Penal code article 48 prohibits the use of children in illegal activities, prescribing penalties of five to 10 years' imprisonment. Title 1, article 4 of the Gabonese labor code (law 3/94) criminalizes all forms of forced labor, prescribing penalties of one to six months' imprisonment, which are not sufficiently stringent and do not reflect the serious nature of the offense. For the third consecutive year, the government did not pass the 2013 draft amendment to law 09/04 to prohibit and punish the trafficking of adults and explicitly criminalize sex trafficking.

The high court is required to hear trafficking cases because they are a crime equivalent to murder; however, the high court was backlogged with cases and, due to funding issues, did not routinely meet, presenting a significant obstacle to prosecutions of trafficking crimes. The government reported 16 investigations-including one for adult forced labor-and 11 child labor trafficking prosecutions, comparable to 16 investigations and one prosecution the previous reporting period but a continued decrease from 50 investigations in 2013. The government did not convict any traffickers for the third consecutive year and did not provide or support anti-trafficking training for law enforcement officials during the reporting period. The government did not report any investigations, prosecutions, or convictions of government employees

complicit in human trafficking offenses. Data on anti-trafficking law enforcement efforts was limited, in part due to poor communication between ministries. Despite the prevalence of transnational trafficking, the government was not known to have worked with foreign law enforcement on trafficking cases.

PROTECTION

The government maintained modest protection efforts. Officials identified at least 20 child labor trafficking victims during the reporting period and referred 14 to social services—an increase from three victims identified and none referred to services in 2014. NGOs identified five additional child labor trafficking victims. The government provided in-kind support for a training session on trafficking case management for social workers; approximately 40 workers received training. It continued to lack shelter space to accommodate trafficking victims, however, and decreased funding, for the second consecutive year, to NGOs that provided shelter and services to victims. The government continued to fund and run two shelters, and provided an unknown amount of funding and in-kind support to two NGO-run shelters offering services to orphans and street children vulnerable to trafficking, including funding for social workers, medical support, psycho-social services, legal assistance, education, and food and furniture vouchers. Nonetheless, NGOs that assisted trafficking victims relied primarily on donations from churches and private companies to finance their services. Shelters in Libreville were unable to accommodate all identified trafficking victims and other vulnerable children. Male and female victims received the same services. There were no government or NGO-run shelters specifically designated for adult victims, but some could have, in practice, provided shelter and services to adults; it is unclear if any adults were referred to such facilities during the reporting period. Adult male victims were permitted to leave shelters unchaperoned, but adult female victims were not. Shelter and victim services were in theory available to Gabonese nationals who had been repatriated due to trafficking, but it is unknown if any such victims were referred to these services during the reporting period.

The Ministry of Health and Social Welfare assisted in the repatriation of 15 foreign victims, including one adult forced labor victim associated with the ongoing forced labor investigation. If victim repatriation was not an option, the Ministry of Social Affairs could provide a victim with immigration relief and resettle them in Gabon, but it is unknown if any victims availed themselves of this legal alternative during the reporting period. The government encouraged victims to cooperate when authorities needed their testimony for the prosecution of alleged traffickers. Prosecutors, police, and magistrates routinely took victims' testimonies at the time of the arrest of the suspected traffickers or rescue of the victim, which is not considered the most effective nor a victim-centered approach. While the government has sought restitution for trafficking victims in the past, there were no reports this occurred during the reporting

period. There were no reports the government detained, fined, or jailed victims for unlawful acts committed as a result of their being subjected to trafficking; however, due to uneven implementation of formal victim identification measures during the reporting period, some victims may have remained unidentified in the law enforcement system.

PREVENTION

The government maintained modest prevention efforts. The inter-ministerial child trafficking committee established two new vigilance committees in provincial capitals to investigate child trafficking offenses, but insufficient funding hindered the committees' ability to fulfill their mandates. An international organization funded and conducted the majority of trainings for the vigilance committees. The inter-ministerial and regional vigilance committees did not conduct any trafficking awareness campaigns, and the government did not conduct any information campaigns to inform potential victims about available assistance or to warn potential traffickers of the legal penalties for child trafficking. The government made modest efforts to implement its 2015 action plan against child trafficking and child exploitative labor by establishing the vigilance committees and identifying and prosecuting employers engaged in exploitative child labor practices. The government did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government, with foreign donor support, provided anti-trafficking training to Gabonese troops prior to their deployment abroad on international peacekeeping missions. During the reporting period, there were reports a Gabonese peacekeeper deployed to the Central African Republic purchased commercial sex from underage girls exploited in sex trafficking; the government's investigation of this allegation was ongoing at the end of the reporting period. The government did not provide anti-trafficking training for its diplomatic personnel.

(End final text of country narrative.)